

## REMARKS/ARGUMENTS

Claims 1-2, 4-9 and 11-23 were pending. Claims 22-23 have been canceled without prejudice, claims 24-29 have been added, and claims 1-2 and 12 have been amended. Hence, claims 1-2, 4-9, 11-21 and 24-29 remain pending.

The Office Action of 8/15/07 rejects claims 1-21 under 35 U.S.C. 102(b) as being anticipated by Hampel (U.S. Publication No. 2003/0117864). Applicant respectfully amends in part and traverses in part.

At the outset, Applicant respectfully requests reconsideration and withdrawal of the finality of the present action as both this and the preceding action are so incomplete as to effectively deny the Applicant its right to prosecute the application. As such, the finality of the present rejection is premature. In particular, only two of the twenty-one claims at issue were even addressed. The remaining nineteen claims are simply ignored. In particular, claims 2, 4, 5, 6, 7, 8, 9, 11, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, and 23 are not even addressed in the Office Action, let alone properly rejected. For at least this reason, Applicant requests withdrawal of the finality of the rejection.

In the event that the Examiner decides to deny the request for reconsideration of the present premature and improper final rejection, Applicant respectfully requests that the examiner set forth any denial and reasons for such as part of the advisory action to facilitate a then timely petition.

Further, the limited rejection that is made relies on conclusions that do not find any support in the cited art or the law. As one example, the Office Action concludes that an argument that the cited art does not disclose creating a stepped up clock, but to the contrary discloses creating a phase shifted clock of the same frequency (see e.g., Hampel at pp. 6-8 and 20-21) cannot be considered as there is nothing recited in the claims addressing such. Office Action at p. 4. Not only does the previously presented claim 1 do so, but so did the previously added claims 22 and 23 which the Office Action completely ignores. For at least this additional reason, Applicant requests withdrawal of the finality of the rejection.

As another example, the Office Action relies on an unsupportable conclusion that the cited art uses the same structure and therefore must operate the same way. Office

Action at p. 4. There is simply no support for this conclusion, and when asked for support all that has been provided is an oblique reference to page 20 of the cited art which simply did not support the conclusion in the earlier Office Action, and still does not. Indeed, such support is not there because it would be contrary to the intended purpose of the cited art. For at least this additional reason, Applicant requests withdrawal of the finality of the rejection.

With that said, Applicant's claim 1 includes, *inter alia*, generating an output clock signal that has at least one clock cycle inserted into the source clock signal such that the output clock signal operates at a frequency greater than that of the source clock signal. This results in an ability to support an increased bandwidth of data when compared to the input clock as the overall frequency of the output clock is increased when compared with the input clock by insertion of the at least one extra clock cycle. See e.g., Application at p. 7, ll. 8-12; p. 12, ll. 25-30. In one exemplary situation, such an increase in overall clock frequency may be used to match a corresponding increase in data transmission bandwidth after encoding data. See e.g., Id. at p. 2, ll. 15-25. An ability to compensate for modified data sets, and even encoded data are addressed in newly added claim 24 and/or claim 25.

In stark contrast, as Applicant understands it, Hampel discloses an approach for transferring a particular bandwidth of data at an overall output clock frequency (in one clock domain) that is the same as the input clock frequency (in another clock domain). As the data may become skewed from the clock, Hampel phase shifts the output clock to match the data, but maintains the same frequency. See e.g., Hampel at pp. 6-8 and 20-21. This does not involve increasing or otherwise modifying the frequency of an output clock compared with that of an input clock, nor would such be suggested by the intended purpose of the cited art. Hence, for at least this reason, Applicant respectfully requests withdrawal of the rejection of claim 1. Further, claims 2, 4-9, 10-11 and 24-25 properly depend from claim 1, and are thus allowable for at least the reasons set forth in relation to claim 1 above.

Independent claims 12 and 26 each include a limitation similar to that discussed above in relation to claim 1. Hence, independent claims 12 and 26 are allowable for at least the reasons discussed above in relation to claim 1, and Applicant respectfully

requests allowance thereof. Further, as claims 13-21 properly depend from allowable claim 12, Applicant respectfully requests withdrawal of the rejections of the aforementioned claims and allowance thereof. Yet further, as claims 27-29 properly depend from allowable claim 26, Applicant respectfully requests withdrawal of the rejections of the aforementioned claims and allowance thereof.

### **CONCLUSION**

In view of the foregoing, Applicant respectfully asserts that all claims now pending in the application are in condition for allowance. Hence, an early allowance of all such claims is earnestly requested.

To the extent necessary, Applicant petitions for an extension of time under 37 CFR 1.136. Please charge any fees in connection with the filing of this paper, including extension of time fees under 37 CFR 1.136, to the deposit account of the assignee, Texas Instruments Incorporated, Account No. 20-0668.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 720-266-4728.

Respectfully submitted,

/Douglas Mark Hamilton/

Douglas M. Hamilton  
Attorney for Applicant  
Reg. No. 47,629

Texas Instruments Incorporated  
P.O. Box 655474, MS 3999  
Dallas, TX 75265  
(972) 917-5633